

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

<b>JOSEPH HARDESTY, ET AL.,</b>	:	Case No. 1:16-CV-00298
Individually and on behalf of All	:	
Others Similarly Situated	:	Judge Timothy Black
	:	
Plaintiffs,	:	
	:	<b>PLAINTIFFS' UNOPPOSED MOTION</b>
v.	:	<b>FOR EXTENSION OF TIME TO FILE</b>
	:	<b>REPLY IN SUPPORT OF MOTION</b>
<b>THE KROGER CO., et al.</b>	:	<b>FOR PARTIAL SUMMARY</b>
	:	<b>JUDGMENT</b>
Defendants.	:	

Plaintiffs Joseph Hardesty, Derek Chipman, Madeline Hickey, and the FLSA Collective Members they represent (collectively, "Plaintiffs") respectfully request that the Court extend the deadline for Plaintiffs to file their reply in support of Motion for Partial Summary Judgment, which was filed on March 22, 2019. Plaintiffs request a one-week extension to file its response, specifically on or before April 12, 2019. The reason for this request is the schedule of Plaintiffs' counsel, which include multiple deadlines in this same time period. Plaintiffs have made no previous requests for extension with respect to their motion or reply, and no dates or deadlines contained in the Court's calendar order would need to be moved. Counsel for Plaintiffs has discussed this request with counsel for Defendants, and counsel for Defendants has consented with this motion.

A proposed order is attached in accordance with S.D. Ohio Civ. R. 7.4.

Respectfully submitted,

/s/ Joshua M. Smith

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**Attorneys for Plaintiffs**

**CERTIFICATE OF SERVICE**

The undersigned does hereby certify that a true and accurate copy of the foregoing was served electronically through the District Court's electronic case filing system upon David K. Montgomery, Esq. and Ryan M. Martin, Esq., Jackson Lewis P.C., PNC Center, 26<sup>th</sup> Floor, 201 East Fifth Street, Cincinnati, Ohio 45202, this 29<sup>th</sup> day of March, 2019.

/s/ Joshua M. Smith  
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